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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,913	02/16/2001	Alison Lee	YOR9-2001-0157	4433

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EXAMINER
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TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/784,913

**Applicant(s)**

LEE ET AL.

**Examiner**

Mylinh T Tran

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed 05/12/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27, 29, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/16/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Applicant's Amendment filed 05/12/04 has entered and carefully considered. Claims 1-30 have been amended. Claim 31 has been added. However, limitations of amended claims have not been found to be patentable over prior art of record and newly discovered prior art, therefore, claims 1-27 and 29-31 are rejected under the new ground of rejection as set forth below.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-4, 7-10, 11-13, 24-27 and 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Mitchell et al. [US. 6,628,304]. As to claims 1 and 31 Mitchell et al. discloses a computer implemented method and corresponding apparatus for displaying a computer graphical user interface comprising the steps/means for displaying two or more visual categories (figure 3, 214, 215), each of the visual categories divided into visual subcategories of ordered levels of specificity, each of the ordered levels of specificity grouped into visual districts containing visual

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subcategories of the same levels of specificity (figure 3, 215, a-g) where the visual districts are represented as shapes (column 8, lines 19-47).

As to claim 2, Mitchell et al. also discloses the visual districts being spatially laid out to show relationships with one or more other visual districts (figure 3, 215, a-g and 214, a-g).

As to claims 3-4, Mitchell et al. shows the visual districts being represented as concentric shapes and the visual districts are represented as two-dimensional shapes (figure 3).

As to claim 7, Mitchell et al. also shows one or more nodes locating on one or more of the visual districts (figure 3).

As to claim 8, Mitchell et al. provides the nodes being differentiated by any one or more of the following ways: a color, a size, a shape (column 12, lines 56-62).

As to claim 9, Mitchell et al. also provides a user rolling over one or more of the nodes to display node information (column 13, line 53 through column 14, line 20).

As to claims 10-11, Mitchell et al. demonstrates a user selecting one or more nodes to execute a node function and a user expanding one or more nodes to expose additional node functions (column 12, line 56 through column 13, line 21).

As to claim 12, Mitchell et al. also demonstrates the node function including providing node information (column 15, lines 35-44).

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As to claim 13, Mitchell et al. shows a menu of one or more other selectable node functions and a menu of more node information (column 15, lines 35-44)

As to claims 24-25 and 27, Mitchell et al. also teaches one or more paths, each path linking two or more nodes and representing one or more connectivity relationships among the nodes and a path is associated with one of the following: a user's path through one or more of the visual districts, a customer's path through one or more of the visual districts, a preferred path of a group of users through one or more of the visual districts, a preferred path of a group of users with common interests through one or more of the visual districts, and a preferred path of a group of users with complementary interests through one or more of the visual districts (figure 3, column 8, lines 35-47).

As to claim 26, Mitchell et al. also shows one or more node sets, each node set containing one or more nodes clustered in nearby locations in one or more of the visual districts (figure 3).

As to claim 29, Mitchell et al. also provides one or more of the node sets having a node set function (column 12, line 56 through column 13, line 21).

As to claim 30, Mitchell et al. demonstrates the node set function includes any one or more of the following: providing information about the set, changing a user's location to be associated with a node location in the set,

and changing browser page to one that his information relating to a node in the set (column 12, line 56 through column 13, line 21).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6 and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. in view of Tesler [US. 6,111,578].

As to claims 5-6, Mitchell does not teach business environment. However, Tesler teaches the visual categories including any one of the following: a product category, a service category and where the levels of specificity including any one of the following product class, product specification (column 9, lines 60-65 and column 24, lines 56-60). It would have been obvious to one of ordinary skill in the art, having the teachings of Mitchell et al. and Tesler before them at the time the invention was made to modify the GUI for representing hierarchical tree as taught by Mitchell et al. to include the business environment of Tesler, for the purpose of providing information about the people, activities and social interactions in business environment as taught by Tesler.

As to claims 14-15, Tesler et al. suggests one or more of the nodes being a landmark that marks a salient location on one or more of the visual districts and the salient location being fixed and associated with one of the categories (column 9, lines 7-16).

As to claim 16, Tesler et al. also suggests the salient location can change in time and being associated with an activity (column 6, lines 7-15).

As to claim 17, Tesler et al. suggest a sale in the business environment of their system (column 9, lines 60-65).

As to claim 18, Tesler et al. also discloses the salient location being personally meaningful to the user (column 9, lines 3-16).

As to claim 19, Tesler et al. suggest the salient location representing any one or more of the following: a user with common interest in the environment business (column 9, lines 60-65).

As to claim 20, Tesler discloses a user rolls over the salient location to display salient location information (column 6, lines 7-15).

As to claims 21 and 22, Tesler also discloses where the salient location information includes any one or more of the following- salient location identification and one or more salient location functions; and a user selects the salient location to execute a salient location function (column 17, line 50 through column 18, line 10).

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As to claim 23, Mitchell et al. teaches the salient location function including displaying a menu of one or more other function (column 12, line 56 through column 13, line 21).

***Allowable Subject Matter***

Claim 28 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Response to Arguments**

Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground of rejection.

***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 872-9306, may be used for all fax. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is



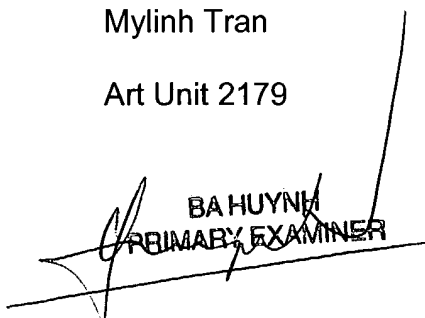
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(703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 4.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Heather Herndon, can be reached on (703) 308-5186, should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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 BA HUYNH  
PRIMARY EXAMINER